

RECEIVED  
FEDERAL ELECTION  
COMMISSION

2013 SEP 12 AM 11:54

CELA

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 6625  
Steve Stockman; Friends of )  
Congressman Steve Stockman and Jason )  
Tyler Posey in his official capacity as )  
treasurer .)

CERTIFICATION

I, Shelley E. Garr, recording secretary of the Federal Election Commission executive session, do hereby certify that on September 10, 2013, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 2-3 to:
  - a. Find reason to believe that Friends of Congressman Steve Stockman and Jason Tyler Posey in his official capacity as treasurer violated 2 U.S.C. § 441d and 11 C.F.R. § 110.11 with respect to the Southeast Texas Courier and two Times Free Press communications.
  - b. Dismiss the allegations that Friends of Congressman Steve Stockman and Jason Tyler Posey in his official capacity as treasurer violated 2 U.S.C. § 441d and 11 C.F.R. § 110.11 by failing to place proper disclaimers on the Texas Republican News communication and six letters in an exercise of prosecutorial discretion as outlined in *Heckler v. Chaney*, 470 U.S. 821 (1985).
  - c. Find no reason to believe that Steve Stockman violated 2 U.S.C. § 441d and 11 C.F.R. § 110.11 and close the file as to him.
  - d. Approve the Factual and Legal Analyses as recommended in the First General Counsel's Report dated April 4, 2013.
  - e. Authorize conciliation prior to a finding of probable cause to believe.

13044343051

f.

g. Approve the appropriate letters.

Commissioners Walther and Weintraub voted affirmatively for the motion.

Commissioners Hunter, McGahn II, and Petersen dissented.

2. Failed by a vote of 3-2 to:

- a. Dismiss the matter pursuant to *Heckler v. Chaney*, 470 U.S. 821 (1985).
- b. Send a letter of reminder to respondents setting forth the disclaimer requirements.
- c. Close the file.
- d. Send the appropriate letters.
- e. Authorize counsel to make any technical and conforming changes.

Commissioners Hunter, McGahn II, and Petersen voted affirmatively for the motion.

Commissioners Walther and Weintraub dissented.

3. Approved by a vote of 5-0 to:

- a. Close the file.
- b. Send the appropriate letters.

Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

September 11, 2013  
Date

Shelley E. Garr  
Shelley E. Garr  
Deputy Secretary of the Commission

13044343052